

# **2020 FTA Joint State Safety Oversight and Rail Transit Agency Virtual Workshop**

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U.S. Department  
of Transportation

**Federal Transit  
Administration**



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Federal Transit Administration

# Transportation Security Administration Surface Regulations and Programs

- *Security Training Final Rule*
- *Upcoming Rulemaking and Policy Activities*
- *Baseline Assessment for Security Enhancement Update*

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# Security Training Final Rule Summary

On March 23, 2020, TSA published the Security Training for Surface Transportation Employees Final Rule in the *Federal Register*.

In special consideration of on-going challenges to the surface transportation industry in response to the Novel Coronavirus (COVID-19), TSA amended this rule on May 1, 2020, extending the rule's effective date from June 22, 2020 to **September 21, 2020**.





## Security Training Final Rule Summary

- The rule requires owner/operators of higher-risk freight railroad carriers, public transportation agencies (including rail mass transit and bus systems), passenger railroad carriers, and over-the-road bus companies to provide TSA-approved security training to employees who perform security-sensitive functions.
- TSA is also expanding its requirements for security coordinators and the reporting of significant security concerns (currently limited to rail operations) to include certain bus operations within the scope of the regulation.
- Approximately 300 owner/operators are covered by the rule's security training requirement
  - For Public Transportation, there are 46 specific agencies that are covered.

# Security Training Final Rule Significant Dates

- The Security Training Rule becomes effective **September 21, 2020**
- Owner/operators must notify TSA of their applicability determination by **October 21, 2020**
- Owner/operators must report to TSA the names and contact information of a security coordinator and an alternate security coordinator by **October 28, 2020**
- Owner/operators must submit their training programs to TSA for approval by **March 22, 2020**
- Owner/operators must ensure employees in security-sensitive positions complete initial training within **one (1) year** after TSA approves the training program
- Employees in sensitive-security positions must receive refresher training at least once every **three years**

# Available Security Training Final Rule Resources

- Upon notifying TSA that the rule applies to their agency/company, regulated parties will be invited to register for the **Homeland Security Information Network (HSIN) TSA Surface Info-board** to access the security training rule reference materials:
  - Downloadable **Observe, Assess & Respond** security training videos for security-sensitive employees
  - Security training plan sample
  - An online portal to submit the security training program requirements
- The **Observe, Assess & Respond** videos are also available as DVDs
- TSA Security Training webpage:
  - <https://www.tsa.gov/for-industry/surface-security-training-rule>

## Other Rulemaking and Policy Activities

- Vetting of Certain Surface Transportation Employees
  - TSA intends to publish a Notice of Proposed Rulemaking (NPRM) in late spring 2021
  - The Surface Vetting rule will implement a statutory requirement for vetting of frontline employees for certain public transportation agencies and railroads, and vetting of security coordinators for these same public transportation agencies and railroads, plus higher-risk, over-the-road bus companies.
- Vulnerability Assessment and Security Plan (VASP)
  - TSA is currently finalizing VASP guidelines intended for voluntary use by non-regulated companies and agencies. Expect publication in January 2021

# Baseline Assessment for Security Enhancement Update

- The BASE program aids Mass Transit and Passenger Rail systems in elevating their security posture by implementing and sustaining baseline security measures applicable to their operating environments and specific system characteristics.
- Based on a Government Accountability Office recommendation, a TSA Integrated Process Team:
  - Updated the cybersecurity question set to include a more comprehensive review of cybersecurity activities that promote industry standards and key practices such as those contained in the NIST Cybersecurity Framework, and
  - Collaborated with the American Public Transportation Association to solicit stakeholder input in order to validate the cybersecurity question set.
- Currently adjudicating stakeholder comments and making updates to the question set.





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